

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

FILED IN OPEN COURT
ON 6/5/2013
Julie A. Richards, Clerk
US District Court
Eastern District of NC

United States of America
v.

Isaiah Joel Davis

Date of Original Judgment: November 19, 2009

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

AMENDED JUDGMENT

Case No: 5:09-CR-00153-BOUSM No: 51683-056

Thomas P. McNamara

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

~~TW~~ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months is reduced to 76

At sentencing, the court granted a 5K1.1 as well as a 3553(e) motion resulting in a 30% reduction from the low end of the guideline range, 120 months, the mandatory minimum sentence required by statute. This term of imprisonment was not mitigated by application of §3553(f) or 5C1.2 (Safety Valve). The minimum term of imprisonment required by statute has not changed; therefore, a comparable reduction from the reduced sentencing range remains 84 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated November 19, 2009
shall remain in effect. **IT IS SO ORDERED.**

Order Date:

6-5-13

Terrence Boyle
Judge's signature

Effective Date:

(if different from order date)

Terrence W. Boyle, U.S. District Judge

Printed name and title